



PATENT
ATTORNEY DOCKET NO.: 056291-5077

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of:)
)
BUTLIN et al.)
)
Appln. No.: 10/069,995) Group Art Unit: 1624
)
Filed: June 17, 2002) Examiner: Bernhardt, E.
)
FOR: AMIDES AS INHIBITORS FOR)
PYRUVATE DEHYDROGENASE)

Commissioner for Patents
U.S. Patent and Trademark Office
Customer Service Window, **Mail Stop Issue Fee**
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Date: February 24, 2005

Sir:

COMMENTS ON EXAMINER'S AMENDMENT

Applicants wish to make the following clarification and comments on the Examiner's Amendment accompanying the Notice of Allowability mailed in November 24, 2004.

In particular, Applicants would like to make clear that their agreement to the cancellation of method claims 20 and 21 was strictly for purposes of expediting the allowance of this application, then under final rejection, and was without abandonment or prejudice to Applicants' right to pursue the subject matter thereof in one or more continuing applications.

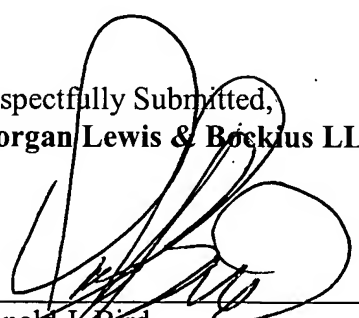
Applicants would also like to make clear that their agreement to the cancellation of clause i) from process claim 9 was also for the purpose of expediting prosecution of this application to allowance, with the understanding that such cancellation of this optional step

in no way modified the scope of this process claim. Process claim 9 is in a "comprising" format, and therefore encompasses any process that includes the recited steps even though such process may have additional steps before, following or inserted between the recited steps. The cancellation of this optional step, therefore, does not in any way limit the scope of the claim in that it would still encompass a process that included such step. Applicants understand that a reason for requesting the cancellation of clause i) of claim 9 was that this clause did not add anything substantive to claim 9. Accordingly, Applicants wish to make clear on the record of this application that this amendment to claim 9 does not change the scope of the claim or the range of equivalents to which it might otherwise be entitled.

Respectfully Submitted,
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